

ENTERED

September 30, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

JUAN DE LEON

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CIVIL ACTION NO. M-17-003

VS.

CRIMINAL ACTION NO. M-11-381-1

UNITED STATES OF AMERICA

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION
AND GRANTING DISMISSAL**

The Court has reviewed the magistrate judge's Report and Recommendation regarding Movant Juan De Leon's action pursuant to 28 U.S.C. § 2255, and Movant's objections thereto. After having reviewed the said Report and Recommendation, and after appropriate review of Movant's objections thereto, the Court is of the opinion that the conclusions in said Report and Recommendation should be adopted by this Court.

It is, therefore, **ORDERED, ADJUDGED** and **DECREED** that the conclusions in United States Magistrate Judge Juan F. Alanis' Report and Recommendation entered as Docket Entry No. 15 are hereby adopted by this Court.

FURTHER, the Court, having adopted the magistrate judge's conclusions, is of the opinion that Respondent's Motion for Summary Judgment should be **GRANTED**, Movant's Request for Counsel be **DENIED**, the Motion to Vacate Sentence under 28 U.S.C. § 2255 should be **DISMISSED**, and that a certificate of appealability should be **DENIED**.

The Clerk shall send a copy of this Order to the Movant and counsel for Respondent.

SO ORDERED this 30th day of September, 2020, at McAllen, Texas.



Randy Crane
United States District Judge